

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1080 be amended to read as follows:

- 1 Page 3, between lines 33 and 34, begin a new paragraph and insert:
 - 2 "SECTION 2. IC 6-2.5-4-12 IS AMENDED TO READ AS
 - 3 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) A person is a
 - 4 retail merchant making a retail transaction when ~~he~~ **the person** sells
 - 5 tangible personal property at auction.
 - 6 (b) Notwithstanding subsection (a), a person is not a retail merchant
 - 7 making a retail transaction when **selling tangible personal property**
 - 8 **at auction if the owner of the tangible personal property:**
 - 9 (1) ~~he~~ makes **only** isolated or occasional sales of tangible personal
 - 10 property at auction; **and**
 - 11 (2) ~~the sales occur on the premises of the owner of the tangible~~
 - 12 ~~personal property; and~~
 - 13 (3) (2) ~~the owner of the tangible personal property~~ did not
 - 14 originally acquire that property for resale."
 - 15 Renumber all SECTIONS consecutively.
- (Reference is to HB 1080 as printed February 3, 2009.)

 Representative Lehe